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2004 OCT 15 PM 2:04  
U.S. CLERK  
DISTRICT COURT

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOCKETED  
OCT 18 2004

INDIA KOIFMAN (plaintiff #1)

EUGENE KOIFMAN (plaintiff #2)

(Name of the plaintiff or plaintiffs)

DOMINICK's FINER FOOD, INC.

711 Jorie Boulevard, Oak Brook Ill, 60521

store manager Mike Sullivan (def. #1)

store agent Reschke Herbert (def. #2)

lost prevention officer Latoya L. Hills

(Name of the defendant or defendants)

(defendant #3)

CIVIL ACTION

NO. \_\_\_\_\_

Jury trial demanded *JOAN H. LEFKOW*

MAGISTRATE JUDGE KSYB

C O M P L A I N T

INTRODUCTORY STATEMENT

1. This is civil action seeking money damages against store manager Mike Sullivan (defendant #1), store agent Reschke Herbert (defendant #2), lost prevention officer Latoya L. Hills employees of Dominick's Finer Food, Inc. for violation of plaintiffs constitutional rights by defendants, initiating and executing a search of plaintiff's person body, plaintiff's property, arrest without probable cause in violation of plaintiffs constitutional rights.

2. This action is brought pursuant to U.S.C. Sections 1983 and 1988 for violation of the Fourth and Fourteenth Amendments to the United States Constitution. The court has jurisdiction of this action under 42 U.S.C. Section 1983, Section 28 U.S.C. Section 1343, 28 U.S.C. Section 1331.

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## P A R T I E S

3. Plaintiffs are citizens and residents of the city of Evanston, state of Illinois, and the United States of America.

4. At all times referred to herein, defendants store manager Mike Sullivan (defendant#1), store agent Reschke Herbert (defendant#2), lost prevention officer Latoya L. Hills (defendant#3) were employed by Dominick's Finer Food, Inc.

5. Plaintiffs sue defendants store manager Mike Sullivan, store agent Reschke Herbert, lost prevention officer Latoya L. Hills in their individual capacities.

6. At all times referred to herein, defendants store manager Mike Sullivan, store agent Reschke Herbert, lost prevention officer Latoya L. Hills acted under color of the laws, statutes, ordinances, regulations policies, customs and usages of the state of Illinois and the city of Chicago.

## CAUSE OF ACTION

For their cause of action against defendants store manager Mike Sullivan (defendant#1), store agent Reschke Herbert (defendant#2), lost prevention officer Latoya H. Hills (defendant#3) plaintiffs state:

7. By this reference, plaintiffs incorporate each and every allegation and averment contained in Paragraphs 1 through 6 though fully set forth herein.

8. On October 15, 2003 at approximately 3p.m. and 4p.m., defendants store manager Mike Sullivan (defendant#1), store agent Reschke Herbert (defendant#2), lost prevention officer Latoya L. Hills (defendant#3) employees Dominick's Finer Food, Inc. of the

city of Chicago, located at 1698-1743 W. Howard, snatched Lidia Koifman (plaintiff#1), handbag, violently pushed Lidia Koifman into the store from the lady restroom and apprehended Lidia (plaintiff#1).

a. Latoya L. Hills (defendant#3) was without identification badge, declared, that defendants: store manager Mike Sullivan (defendant#1), store agent Reschke Herbert (defendant#2) caught Lidia Koifman (pl#1), who, s Russian thief, prostitute, drug user.

b. Store agent Reschke (defendant#2) follow direction of store manager M. Sullivan (male defendant#1) painful twisted and wrung behind back, Lidia Koifman (female plaintiff#1)' hands, constricted Lidia (female pl.#1)' wrists by handcuffs and jostle apprehended Lidia (pl.#1) in room with locked door.

b<sub>i</sub>. Store agent Reschke H. (male defendant#2) searched Lidia (female pl#1)' removed Lidia' permanent cardiac pacemaker I.D. card, Lidia's money, Lidia's I.D. cards including driver's license, Lidia's other cards, Lidia's keys, phonecell.

Defendants: store manager Mike Sullivan (male defendant #1), store agent Reschke Herbert (male defendant #2), Latoya L. Hills (defendant #3) did not answer plaintiff, what Lidia's fault, why Lidia (plaintiff#1) searched and handcuffed.

b<sub>ii</sub>. Latoya L. Hills (defendant #3) went from this locked room (later called security) with Lidia Koifman (plaintiff #1)' money, documents, keys.

Store agent black dressed uniform Reschke H. (male defendant#2)

did more constrictly handcuffs on Lidia K.(female plaintiff #1), wrists,knocked Lidia(female Plaintiff #1) down on floor,Reschke Herbert (male defendant #2) used foul language,strongly touched , examined, seised Lidia (female plaintiff #1)' body(private areas). Store agent Reschke Herbert ( male defendant #2) caused Lidia Koifman (Female plaintiff #1) big wring. Lidia KOifman lost consciosness.

c. Lidia Koifman (female plaintiff #1) came to one-self, saw, she lies in floor' alleged security room of Dominick's, room with locked door and Assian policeman thrash Lidia Koifman

(female plaintiff #1) in the face by rolled magazine, used bad language and other White poliseman stayed with his foot on Lidia Koifman(female plaintiff #1)' body. Lidia Koifman lost consiousness.

c<sub>i</sub>. When Lidia(female plaintiff #1) had open eyes, saw that White policeman heavely shaken her, then White policeman violently wrung /one's Lidia (female plaintiff #1)'handcuffed hands behiend the back, bend over almost folded Lidia twice, pinion Lidia' fingers, pushed Lidia Koifman (plaintiff #1) out the security room of Dominick's.

c<sub>ii</sub>. Lidia Koifman (female plaintiff #1) saw then, as Assian Young policeman was hold her husband Eugene Koifman (plantiff#2)'throat by one hand and punched Lidia'husband, Eugene, at mediastinum by second fist. Assian policeman commanded Eugene(plantiff#2):Do not talk to Police! Lidia(female plaintiff#1)continue to pleade:Do not torture her,Lidia's husband(senior citizen plaintiff#2),he(Eugene Koifman) has heart problem.

ciii White policeman ... striked Lidia Koifman (female Plaintiff #1) with all one's might of trunk of police squad car, then white policeman throw Lidia Koifman ( female Plaintiff # 1 ) inside policecar.

No one answer to Lidia Koifman ( female Plaintiff #1) what Lidia guilt, why Lidia arrested.

d. Eugene Koifman ( plaintiff # 2 ) was entered for shopping Dominick's Store at location 1698 -1743 W.Howard approximately between 3 pm and 4 pm later 15 min after his wife Lidia Koifman ( Plain - tiff #1 ).

Eugene Koifman ( Plaintiff #2 ) did not see his wife Lidia in the store. Eugene Koifman ( Plaintiff #2 ) was ask of customer desk about his disabled, religious wife Lidia.

di. Store manager Mike Sullivan ( Defendant #1 ) immediately directed Store agent Herbert Reschke ( Defendant #2 ) to grip Eugene Koifman ( Plaintiff #2 ).

Store agent Herbert Reschke, dressed at black uniform ( Defen - dant #2 ), grabbed Eugene Koifman ( Plaintiff #2 ) for an Eugene's sholder from behiend, turned Eugene Koifman, shaken him and beat Eugene Koifman on each side, used his Herbert Reschke ( Defendant #2 )' elbows.

Store agent Herbert Reschke ( Plaintiff #2 ) had an excited ( sex ) apperance, Eugene Koifman believed. Eugene Koifman ( Plain - tiff #2 ) remain to stay calm, Eugene only ask: why you beat me? - and Store manager Mike Sullivan ( Defendant #1 ) allowed Store agent Herbert Reschke / ( Defendant #2 ) stop beating Eugene.

dii. Right here, opposite to standing Eugene Koifman ( Plaintiff #2 ), door opened and Eugene saw his wife Lidia Koifman ( Plaintiff #1 ) lies down on the floor of this locked room.

Than Store manager Mike Sullivan ( Defendant #1 ) ruled the roost, that policemen have to throw out the store Eugene Koifman ( plaintiff #2 ).

At this time Assian Young policeman lashed Eugene Koifman's ( plaintiff #2 ) wife Lidia Koifman ( plaintiff #1 ) face and White Young policeman stayed with his boot on Lidia ' body.

After this the White Young policeman approached Eugene Koifman ( plaintiff #2 ) grasped Eugene, seised Eugene' neck, heavily cuffed Eugene' head by second White policeman'arm, chucked Eugene out the store.

White young policeman transfered Eugene Koifman ( plaintiff #2 ) to Assian young policeman, who's cutch Eugene' throat by policeman'arm, chocked, stopped Eugene airway and by second policeman'arm punched Eugene' heart area.

Then assian young policeman continued chocke Eugene Koifman (plaintiff #2), squizzed out Eugene' eyeballs by policeman' fingers of second arm, repeatedly said: Do not talk Police! Do not enter the Store!

diii. When Assian Young policeman freed Eugene Koifman (plaintiff #2)' eyes, Eugene saw, what White Young policeman dragged bended down his wife Lidia Koifman (plaintiff #1), handcuffed behind the back.

White Young policeman costed with all one's might Lidia Koifman (plaintiff #1) at trunk of policecar, then White Young policeman threw Lidia Koifmah (plaintiff #1) in policecar and moved out.

9. On December 2003 Lidia Koifman (Plaintiff #1) received only opportunity see Dominick's report about October 15 - 2003, this invention had tendency to deceive and mislead authorities, to justify accomodation collqr activity, named surviellance camera function inside Dominick's Finer Food Store (location 1698 - 1743 W.Howard, Chicago), that camera captured Lidia Koifman (Plaintiff #1).

10. As a direct and proximate result of the concerted Lady' washroom action of examination and inspection Plaintiff' body and her property without Authority of Law, and of the act of inciting policemen do particular rage deed against Plaintiffs as described above, Plaintiffs suffered and continue to suffer severe injury, mental anguish and emotional trauma in connection with the deprivation of Plaintiffs constitutional rights guarranteed them by the Fourth and Fourteenth Amendments of the Constitution of the United States and protected by 42 U.S.C. Section 1983.

11. Defendants: Store Manager Mike Sullivan (Def #1)  
Store agent Herbert Reschke (Def #2)  
Lost prevention officer Latoya L. Hills (Def #3)  
acted unreasonably, aggravetive, provocative, hate motivated and in reckless disregard for the truth.

12. As result of defendants acts as described above, defendants deprived plaintiffs of their right to be free from unlawful searches, seizures, falce arrest, in violation of Fourth Amendment  
to the Constitution of the United States.

13. As direct and proximate result of the defendant's actions as described above plaintiffs suffered special damages and will suffer additional special damages in the future in amount cannot yet be determined.

14. The acts of defendants as described above intentional, obstructive, wanton, malicious, cruel and oppressive, thus entitling plaintiffs to an award of punitive damages.

WHEREFORE, plaintiffs, and each of them, pray for judgment against defendants store manager Mike Sullivan, store agent Reschke Herbert, lost prevention officer Latoya L. Hills, jointly and severally, for compensatory damages in amount proved at trial, plus costs of this action, attorney's fees and such other relief as the court deems fair and appropriate under the circumstances.

(Plaintiff's signature)

Lidia Koifman Eugene Koifman

(Plaintiff's name)

LIDIA KOIFMAN,

EUGENE KOIFMAN

(Plaintiff's street address)

311 SHERMAN AV. 612 SHERMAN AV.

(City) EVANSTON (State) ILLINOIS (ZIP) 60202

(Plaintiff's telephone number) (847) - 492- 0201

Date: October 4, 2004



JS 44 (Rev. 3/99)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## (a) PLAINTIFFS

*Lidia Korkman*  
*Eugene Korkman*  
 2004 DISTRICT COURT

## DEFENDANTS

*Dominick's Fine Food, Inc*  
*Store Manager Mike Sullivan*  
*City of Chicago*

## (b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

*Cook County*

## County of Residence of First Listed

(IN U.S. PLAINTIFF CASES ONLY)

*Chicago, Cook County*

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

## (c) Attorney's (Firm Name, Address, and Telephone Number)

## Attorneys (If Known)

**DOCKETED**  
**OCT 18 2004**

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Inj.	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

## V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

*unlawful search, deprivation constitutional rights, 42 U.S.C. 1983 and 1988, deprivation civil rights*

## VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ *2999 999*

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. This case

☒ is not a refiling of a previously dismissed action.

☐ is a refiling of case \_\_\_\_\_, previously dismissed by Judge \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD

*October 15 2004*

*1-2*